

Notice of Allowability

Application No.

09/933,884

Examiner

John S. Chu

Applicant(s)

HAYAKAWA ET AL.

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/28/04.
2. ☒ The allowed claim(s) is/are 47-98.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: The claimed invention is drawn to the following:

47. (Currently amended) An imageable composition comprising:

an acid curable composition;

an acid generator; and

a colorant, wherein the colorant includes a counter anion derived from a non-volatile acid;

and further comprising an infrared absorber, a photothermal converter material, or both.

76. (Currently amended) An imageable element comprising:

a substrate; and

an imageable coating on a surface of the substrate, the coating comprising:

an acid curable composition;

an acid generator; and

a colorant, wherein the colorant includes a counter anion derived from a non-volatile acid, and wherein the colorant enhances the visual contrast between image areas and non-image areas after imaging of the imageable element;

and further comprising an infrared absorber, a photothermal converter material, or both.

96. (Currently amended) A method of making an imageable element including a substrate and an imageable coating on the substrate, the method comprising the steps of:
contacting a substrate with an imageable composition dissolved or dispersed in a suitable solvent, wherein the imageable composition comprises
an acid curable composition,
an acid generator, and
a colorant, wherein the colorant includes a counter anion derived from a non-volatile acid, and wherein the colorant enhances the visual contrast between image areas and non-image areas after imaging of the imageable element;
and further comprises an infrared absorber, a photothermal converter material, or both; and
drying to remove solvent, leaving an imageable coating on the substrate.

97. (Currently amended) A method of producing an imaged element comprising the steps of:
providing a thermally imageable element comprising a substrate and a thermally imageable coating on a surface of the substrate, the coating comprising an acid curable composition, an acid generator, and a colorant, wherein the colorant includes a counter anion derived from a non-volatile acid, and further comprising an infrared absorber or a photothermal converter material;
imagewise exposing the imageable element to heat to produce an exposed element having exposed and unexposed regions of the coating;
baking the exposed element at a temperature and period of time sufficient to produce a cured element; and
contacting the cured element with a developer to remove the unexposed regions of the coating and thereby produce the imaged element; wherein the colorant enhances the visual contrast between image areas and non-image areas of the imaged element.

Applicants have amended the claims to insert the limitations drawn to the subject matter indicated to be allowable in the previous Office action paragraph 4. By inserting the limitations drawn to the infrared absorber, photothermal converter material or both, applicants have complied with the amendments as suggested by the Office. None of the prior art references of record are seen to disclose or claim the now recited invention of claims 47, 76, 96 or 97.

Accordingly the claims 47-98 as recited above are seen as allowable and the case is passed to issue.

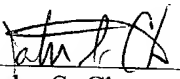
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Chu whose telephone number is (571) 272-1329. The examiner can normally be reached on Monday - Friday from 9:30 am to 6:00 pm.

The fax phone number for the USPTO is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-1700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PMR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John S. Chu
Primary Examiner, Group 1700

J.Chu
December 2, 2004